

DOCKET NO.: JJPR-0035

PATENT

DOCKET NO. ORT1488DIV1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Peter J. Connolly, et al.

Serial No.: 10/799,324

Art Unit: 1621

Filed: March 12, 2004

Examiner: Brian J. Davis

For: **SUBSTITUTED AMINO ACIDS AS ERYTHROPOIETIN MIMETICS**

CERTIFICATE OF MAILING OR TRANSMISSION

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December 21, 2005

/Myra H. McCormack/

Date

Signature

Myra H. McCormack

COMMISSIONER FOR PATENTS

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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(n) is attached

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:
- ☐ Certification in Accordance with § 1.97(e) is attached;
- or
- ☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.
- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of **\$180.00** as set forth in § 1.17(p).
- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- ☐ Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☒ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☒ Copies of references **1 thru 18** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **09/927,111**, filed **August 10, 2001**.

DOCKET NO.: JJPR-0035

3

PATENT

Please charge any deficiency or credit any overpayment to Deposit Account No.

10-0750/ORT1488DIV1.

Respectfully submitted,

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Dated: December 21, 2005



Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office		Docket No. ORT1488DIV1	Application No. 10/799,324
		Applicant Peter J. Connolly, et al.	
		Filing Date March 12, 2004	Group
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	1	Bonjoch, J. et al., "Synthesis of Enantiopure (2R, 3aS, 7aS)-2-Ethylcatahydroindol-6-One and its Fischer Indolization", <i>Tetrahedron: Asymmetry</i> , 1997 , 8(18), 3143-3151	
	2	Foucaud, A. et al., "Preparation d'amines Allyliques a Partir D'acyloxy-3-Methylene-2 Propionates de Methyle Substitues en 3 Par Un Groupement Aromatique ou Heteroaramatique", <i>Manuscrit Recu Le</i> , 1989 , 24-01, 22-03	
	3	Hoffman, R. et al., "An Improved Enantiospecific Synthesis of Statine and Statine Analogs via 4-(N, N-Dibenzylamino)-3-Keto Esters, <i>J. Org. Chem.</i> , 1997 , 62, 2292-2297	
	4	Julia, M. et al., "Cyclisations par Substitution Aromatique Radicalaire. I. Synthesis de Composes Tetraliniques Par Addition-Cyclisation Radicalaire", <i>Maunscript Recu Le</i> , 26.2.68	
	5	Kawasa, M., "Unusual Reactions of Secondary Amino Acids with Trifluoroacetic Anhydride: A Novel Access to α -Trifluoromethylated Acyloins", <i>Tetrahedron Letters</i> , 1994 , 35(1), 149-152	
	6	Koji, N. et al., "CODEN:JKXXAF. 52024765 770225 Showa. Patent written in Japanese. Application: JP 75-100635 750821 CAN, 87:68150	
	7	Kubota, Y. et al., "A Specific Inhibitor of Phosphatidylinositol-3-Kinase, Inhibits Erythropoietin-Induced Erythroid Differentiation of K562 Cells", <i>Leukemia</i> , 1996 , 10, 720-726	
	8	Li, J.P. et al., "Activation of Cell Growth by Binding of Friend Spleen Focus-Forming Virus gp55 Glycoprotein to the Erythropoietin Receptor", <i>Letters to Nature</i> , February 22, 1990 , 343	
	9	Oppolzer, W. et al., "Stereoselective Synthesis of Benz[f] Isoindoline-Derivatives by Intramolecular Cycloadditions of Styrenes to Olefins", <i>Helvetica Chimica Acta</i> , 1976 , 59(4), 121	
	10	Takeda Chemical Industries. Ltd., Japan, "N-Substituted Glycine Derivatives", Jpn. Kokai, Tokyo Koho, 10 pp. CODEN:JKXXAF. JP 58150562 A2 83907 Showa. Patent Written in Japanese. Application: JP 82-34296 820303 CAN 100:68019	
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	11	Tsatsas, MG., "Sur Quelques Chloracetamides", <i>manuscript Recu Le</i> , 8.3.68	
	12	White, W. et al., "The Ortho-claisen Rearrangement. Iv. The Rearrangement of X-Cinnalyl α -Tolyl Ethers., <i>The Department of Chemistry, The Ohio State University, Columbus 10, Ohio, November 28, 1960</i>	
	13	Database CAPLUS on STN, Acc. No. 1996:461584, Wrighton, et al., "Small Peptides as Potent Mimetics of the Protein Hormone Erythropoietin", <i>Science</i> , 1996 , 273, 5274	
	14	Database CAPLUS on STN, Acc No. 1994:270195, <i>Heterocycles</i> , 1993 , 36(11), 2441-2444	
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U. S. PATENT DOCUMENTS						
Examiner Initial	18	Document No.	Date	Name	Class	Subclass
		6,310,078 B1	10/30/01	Connolly, et al.	514	330

FOREIGN PATENT DOCUMENTS						
Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO

EXAMINER	DATE CONSIDERED
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